LICENSING BY-LAW
CITY OF HAMILTON
PART II, 1996-

FOR NEWEST BY-LAW AMENDMENT SEE:
CA4 ONHBL A08 B91 (1998)
CITY OF HAMILTON LICENSING CODE 1998
A BY-LAW TO LICENCE & REGULATE VARIOUS
BUSINESSES
SPIRAL BOUND BOOK

THIS CONSOLIDATION OF THE BY-LAW IS
PREPARED FOR CONVENIENCE ONLY, FOR
ACCURATE REFERENCE PLEASE CHECK
ORIGINAL BY-LAW

Bill No. D-33

The Corporation of the City of Hamilton

BY-LAW NO. 98-185

To Replace Schedule 17 of Licensing By-law No. 79-323

As Consolidated in By-law No. 93-069

Respecting:

SALVAGE AND SECOND-HAND GOODS BUSINESSES

WHEREAS Schedule 17 to Licensing By-law No. 79-323, as consolidated in By-law No. 93-069 provides for the licensing of salvage and second-hand goods businesses;

AND WHEREAS it is desirable to amend the requirements for salvage and second-hand goods licences, and enact a consolidated Schedule 17;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That Schedule 17 of By-law No. 79-323, as consolidated in By-law No. 93-069 and as amended in By-law No. 93-152, be repealed, and the following enacted in its place:

"

SCHEDULE 17

SALVAGE AND SECOND-HAND GOODS BUSINESSES

Application of Schedule

1.(1) The provisions of this Schedule shall not be deemed,

(a) to apply to the business of buying and selling articles being antiques or works of art; or

(b) to require the reporting of the purchase or sale of waste paper, rags, bones or bottles, or of used tires, or of ferrous metal scrap which is obviously scrap, or to require the retention of any such goods for any specified period, but the exception provided in this clause does not extend to any motor vehicle or part thereof.

(2) For the purpose of this Schedule a salvage yard includes an automobile wrecking yard or premises.

(3) The provisions of subsection 2(1) do not apply to any person engaged in the business for patriotic or charitable purposes.

(4) The provisions of section 4, and clauses 6(a) and 6(d) do not apply to a person who deals in second-hand goods, only to the extent of receiving traded-in articles the value of which are applied on account of the purchase price of new goods of a like kind being sold in the usual course of the business to the owner of such second-hand goods.

(5) For the purposes of this Schedule the following definitions shall apply:

(a) "*antiques*" means furniture and other goods or articles commonly recognized as collectable because of their quality, value or age, and reproductions of such items, but not including jewellery, precious gems, time pieces, musical instruments, tools, cameras, camera components, or coins;

(b) "*electronic components*" includes stereos, televisions, compact disk players, video players and recorders, facsimile machines, computers, video cameras, and their components;

(c) "*jewellery*" means articles of personal adornment made in whole or part of silver, gold or platinum metal;

(d) "*salvage or second-hand goods shop or yard*" means premises used for the collection, storage, or buying of used manufactured or processed goods, materials or parts, including automobiles or auto parts, whether or not they are further recycled, repaired or salvaged, and which in whole or part are sold or offered for sale by retail;

(e) "*works of art*" means paintings, photographs, sculpture and other products of artisans commonly recognized as collectable because of their quality or value, but not including jewellery, precious gems, time pieces or coins.

Licence Required

2.(1) No person shall carry on or engage in the business of a salvage or second-hand goods shop or yard without a licence under this by-law entitling him so to do.

(2) Every person required to obtain a licence shall obtain a separate licence with respect to each and every shop, store, yard or other premises used for the transaction of business or for receiving, keeping or storing salvage or second-hand goods.

(3) Despite subsection (1), only persons buying or selling second-hand jewellery, precious gems, time pieces, musical instruments, tools, coins, auto parts, cameras or electronic components require a licence under this Schedule.

(4) An applicant, whose business is either transient or non-resident in Hamilton, shall apply for a licence or renewal of licence at least thirty days in advance of commencing to trade in Hamilton.

3. Any licence required under this Schedule may be issued to authorize the licensee to deal in one class only of second-hand goods or in more than one class as may be specified, and no person shall deal in any class of second-hand goods not covered by their licence.

Record Book and Reports

4.(1) Every person carrying on or engaging in the business of a salvage or second-hand goods shop or yard shall, without delay, at the time when any salvage or second-hand goods are purchased, taken in exchange, received on consignment or otherwise received or acquired in any manner whatsoever, enter in the Record Book in ink or indelible pencil and in a plain and easily readable hand and in the English language, a record of all such salvage and second-hand goods (except used motor vehicle tires), the date and time, the price or other consideration given, and the name and address of the person from whom they were so purchased, taken in exchange or otherwise obtained, together with the current licence number of the motor vehicle, if any, in which such salvage or second-hand goods were brought; and, in the case of tools

purchased or otherwise obtained, the record shall include a proper description of the same, including the name of the manufacturer, and the identifying number or initials, if any.

(2) Every person carrying on or engaging in any of the said businesses shall deliver at the office of the Chief Constable before two o'clock in the afternoon daily, except on Sundays and public holidays, a true copy of the entries in the Record Book relating to all such transactions which have taken place since the transaction last so reported; and whenever there is reason to suspect that any goods or articles may have been stolen, all readily ascertainable particulars of the same and of the person offering the same shall be included in the said report.

(3) Persons carrying on or engaging in the business of a salvage or second-hand goods shop or yard shall treat goods redeemed on pawn tickets as purchased and so entered in the Record Book; and in the case of a used motor vehicle or wrecked motor vehicle purchased, taken in exchange or otherwise obtained, there shall be entered in the Record Book the name of the maker, all serial numbers and the current or previous year's motor vehicle licence number, if any.

(4) The said Record Book shall be and remain the property of the City and shall be returned to the City by the licensee at any time on demand, and in any event immediately before the expiry of the licence, whether by revocation or otherwise; and the licensee shall take all necessary precautions to guard against its loss, destruction or mutilation.

(5) When any Record Book is delivered to the City at any time during currency of the licence, the secretary shall supply to the licensee another Record Book which shall be kept and used in the same manner by the licensee at all times while he is without the former Book.

(6) All information in said Record Books and Reports shall be confidential to the City, the Chief Constable and those members of the police force authorized to peruse the same and shall not be communicated to any other person except as it may be required to be given in evidence.

Identification and Purchasing from Minors

5. No person carrying on or engaging in the business of a salvage or second-hand goods shop or yard shall directly or indirectly purchase from, exchange with or receive in pledge from any minor appearing to be under the age of eighteen years, without written authority from a parent or guardian of such minor, any salvage or second-hand goods.

Miscellaneous Regulations

6. Every person carrying on or engaging in the business of a salvage or second-hand goods shop or yard shall be responsible:

(a) *Period of Retention of Goods.* That all salvage and second-hand goods purchased, taken in exchange or otherwise obtained, including goods obtained from a dealer in second-hand goods, shall be retained in unchanged condition and exposed to public view in the licensee's shop or yard within the City of Hamilton for a period of at least thirty days thereafter, and that the same shall be kept clearly separated in location during the whole of such period, from all goods previously purchased, and that none of the same shall be sold or otherwise disposed of until after the expiration of the said period, but where the business licensed is transient or non-resident in Hamilton, the terms of this clause otherwise apply except that the period of retention

shall be at least sixty days and that the goods shall be at a location in Hamilton accessible between the hours of 9 a.m. and 5 p.m. local time;

(b) *Place of Storage.* That no salvage or second-hand goods are stored or kept any where but at the shop or yard in the City of Hamilton either within a building or within a properly fenced enclosure, that no waste paper or any material likely to blow about the streets is allowed to be deposited or remain where it can do so, and that the whole premises and all salvage and goods therein are kept clean and orderly;

(c) *Soliciting on Highway.* That there is no soliciting of business from any person that is on a public highway;

(d) *Hours of Business.* That no salvage or second-hand goods are purchased, taken in exchange or otherwise obtained on a public holiday, or after eleven o'clock in the afternoon of any day, or before seven o'clock in the morning of any day; and that except during full daylight, there is no collecting or attempted collecting of any goods or salvage, or any passing from house to house along any public or private way, for any such purpose;

(e) *Identification.* That persons attempting to sell or trade second-hand goods or salvage first be required to produce a valid, government-issued piece of identification, and have a head-and-shoulders photograph or video tape taken in sufficient clarity for later identification of the customer. Persons carrying on or engaging in the business of a salvage or second-hand goods shop or yard shall not complete the transaction until they obtain such identification and photograph from the customer and shall further be responsible for taking and maintaining copies of the identification and photos taken, with a reference to the transaction as contained in the Record Book; and

(f) *Period of Retention of Photographs Taken for Identification Purposes.* That all photographs taken for the purposes of identification of customers under clause (e) be retained, for sixty days in the case of a business transient or non-resident in Hamilton, and for thirty days in the case of all other businesses.

7. The licence fees are provided in section 17 of Schedule 45 of this by-law."

2. (1) This by-law comes into force and effect on the date of enactment.

(2) In all other respects By-law No. 93-069 as amended is confirmed without change.

PASSED this 30th day of June A.D. 1998.

CITY CLERK

MAYOR

Bill No. D-28

The Corporation of the City of Hamilton

BY-LAW NO. 98- 152

To Amend By-law No. 79-323

As consolidated in By-law No. 93-069

Respecting:

REPEAL OF CARTAGE LICENSING AND FEES

WHEREAS regulation under the Municipal Act, R.S.O. 1990 as amended, has removed the power to licence and regulate cartage businesses and vehicles, and Council deems it expedient to repeal the provisions of By-law No. 79-323 as consolidated in By-law No. 93-069 (The City of Hamilton Licensing Code), respecting cartage vehicle licensing;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That By-law No. 93-069 as amended, is further amended as follows:

(1) Schedule 5 is repealed; and

(2) Section 5 of Schedule 45 is repealed.

2. (1) This by-law comes into force and effect on the date of enactment.

(2) In all other respects By-law No. 93-069 as amended is confirmed without change.

PASSED this 26th day of May A.D. 1998.

City Clerk

Mayor

Bill No. **D-4**

The Corporation of the City of Hamilton

BY-LAW NO. 98- *32*

To Amend Business Licensing By-laws Nos. 93-069, 76-32, 79-144, 80-259 and 95-173

Respecting:

1997 LICENCE EXPIRY DATES

WHEREAS the mail strike that began November 20, 1997 disrupted the sending of the normal renewal notices, and it is expedient to extend 1997 business licence expiry dates to January 31, 1998;

AND WHEREAS the change of expiry dates is intended to apply to City of Hamilton business licences issued for the year ending December 31, 1997 under: By-law 93-069 being the City of Hamilton Licensing Code, By-law 76-32 regulating body-rub parlours, By-law 79-144 regulating adult entertainment parlours, By-law 80-259 regulating second level lodging houses, and By-law 95-173 regulating adult video stores;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. **(1)** Section 6 of the City of Hamilton Licensing Code, being By-law No. 93-069 as amended, is further amended by adding the following subsection as subsection (5):

> "(5) Notwithstanding subsections (1) and (2), licences issued under this by-law for the year 1997 shall expire on January 31, 1998."

(2) The expiry dates in Column 3 of Schedule 1 to By-law No. 76-32 as amended, being a by-law to regulate Body-Rub Parlours, is further amended by replacing "December 31" in each line where it occurs, with the following:

> "December 31, except in the case of licences issued for the year 1997 which shall expire January 31, 1998"

(3) Section 26 of By-law No. 79-144 as amended, being a by-law to regulate Adult Entertainment Parlours, is further amended by adding the following subsection as subsection (3):

> "(3) Notwithstanding subsection (2), licences issued under this by-law for the year 1997 shall expire on January 31, 1998."

(4) Section 2 of By-law No. 80-259 as amended, being the Second Lev Lodging House By-law, is further amended by adding the following as subsection (5):

> "(5) Licences issued under this by-law expire on December 31 of the year for which they were issued unless sooner revoked or suspended pursuant to the terms of By-law No. 93-069 as amended, except those licenses issued for the year 1997 which shall expire on January 31, 1998."

(5) Section 14 of By-law No. 95-173 as amended, being a by-law to regula stores selling adult videos, is further amended by repealing and replacing section 14 wi the following:

> "14. Every licence issued under this by-law, unless sooner revoked or suspended, shall expire on December 31 of the year for which it was issued, except in the case of licences issued for the year 1997 which shall expire on January 31, 1998."

2. **(1)** This by-law comes into force on the day of its enactment.

(2) In all other respects, Licensing By-laws 93-069, 76-32, 79-144, 80-259 an 95-173 all as amended, are hereby confirmed without change.

PASSED this 11th day of December 199

CITY CLERK

MAYO

Bill No. D-40

The Corporation of the City of Hamilton

BY-LAW NO. 97- 141

To Amend Schedule 4 of Licensing By-law No. 93-069

Respecting:

TAXI-CAB BROKERS

WHEREAS it is expedient to require taxi-cab brokers to post the Ontario Human Rights Commission's one page publication entitled "Declaration of Management Policy" for taxi-cab owners and drivers;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 4 of Licensing By-law No. 93-069 as amended, is further amended by adding the following paragraph, as paragraph 11 of subsection 32(1):

> "11. Post and maintain a copy of the Ontario Human Rights Commission's publication entitled "Declaration of Management Policy", on bulletin boards and on other similar locations provided for the regular posting of written notices to taxi-cab drivers or owners operating from the brokerage."

2. In all other respects, Licensing By-law No. 93-069, as amended, is hereby confirmed without change.

PASSED this 24th day of June A.D. 1997.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-*118*

To Amend Licensing By-law No. 93-069 Respecting:

TAXI AND LIVERY LICENCE FEES

WHEREAS taxi and livery vehicle/limousine licence fees are provided for in Schedule 45 of the City of Hamilton Licensing Code 1993;

AND WHEREAS the fees for licences in the City of Hamilton Licensing Code 1993 were amended in By-laws 96-037 and 96-097;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed further amendments affecting renewals and filing fees for various classes of licences;

AND WHEREAS it is intended to consolidate the various changes made to taxi and livery/limousine fees;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of Schedule 45 of Licensing By-law 93-069 as amended, is repealed and replaced with the following:

"4. Schedule 4 (Taxi-cabs) : The fees for licences and other matters under Schedule 4 are as follows:

(a) Initial application for entry on the priority list, $60.00;

(b) Annual renewal of placement on the priority list, $60.00;

(c) First issuance of a private taxi-cab licence from the Taxi-cab Priority List, $3,480.00;

(d) Renewal of a private taxi-cab licence, $420.00;

(e) Transfer of a private taxi-cab licence, $670.00;

(f) Renewal of a public taxi-cab licence, $420.00;

(g) Transfer of a public taxi-cab licence, $670.00;

(h) First issuance of a taxi-cab broker's licence, $590.00;

(i) Renewal of a taxi-cab broker's licence, $540.00;

(j) First Issuance of a taxi-cab driver's licence, $150.00, and renewal of a taxi-cab driver's licence $100.00;

(k) Filing fee for the initial copy of a limited interest agreement in respect of the first car, $120.00;

(l) Yearly renewal fee for the initial limited interest agreement in respect of the same first car, $60.00;

(m) Filing fee for the initial copy of a limited interest agreement in respect of any additional car, $210.00;

(n) Yearly renewal fee for a limited interest agreement in respect of any additional car, $210.00;

(o) Filing fee for a copy of a notice or an agreement under section 14(5) of Schedule 4, $60.00. (S.4, s.33)

(p) Wheelchair Accessible Taxicab (Integrated) - Owner Licence and Renewal, $5.00."

2. Section 4a of Schedule 45 to Licensing By-law No. 93-069 as amended, is repealed and replaced with the following:

"4a. Schedule 4a (Livery Vehicles/Limousine) : The licence fees for licences under Schedule 4a are as follows:

(a) Livery vehicle/Limousine owner's licence Class A or B, for a renewal $420.00, and $470.00 for other than a renewal;

(b) Livery vehicle/Limousine driver's licence, for a renewal $100.00, and $150.00 for other than a renewal; (S.4a, s.16)"

3. Sections 1 and 2 of this by-law come into force effective January 1, 1997.

4. In all other respects By-law No. 93-069 as amended is hereby confirmed without change.

PASSED this 25th day of June A.D. 1996.

City Clerk

Mayor

Bill No. *D-41*

The Corporation of the City of Hamilton

BY-LAW NO. 96- *097*

To Amend Licensing By-law No. 93-069 Respecting:

TAXI AND LIVERY LICENCE FEES

WHEREAS taxi and livery vehicle licence fees are provided for in Schedule 45 of the City of Hamilton Licensing Code 1993;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed amendments to provide for a new range of fees, including a fifty-dollar added fee to cover costs on first time licence applications, applied to other licences in By-law 96-037;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraphs 4(h), 4(j) and 4(k) of Schedule 45 of Licensing By-law 93-069 as amended, are repealed and replaced with the following:

"(h) First issuance of a taxi-cab broker's licence, $590.00;

(j) First Issuance of a taxi-cab driver's licence, $150.00, and renewal of a taxi-cab driver's licence $50.00;

(k) Filing fee for the initial copy of a limited interest agreement in respect of the first car, $120.00;"

2. Section 4a of Schedule 45 to Licensing By-law No. 93-069 as amended, is repealed and replaced with the following:

"4a. Schedule 4a (Livery Vehicles) : The licence fees for licences under Schedule 4a are as follows:

(a) Livery vehicle owner's licence Class A or B, for a renewal $210.00, and $470.00 for other than a renewal;

(b) Livery vehicle driver's licence, for a renewal $50.00, and $150.00 for other than a renewal; (S.4a, s.16)"

3. In all other respects By-law No. 93-069 as amended is hereby confirmed without change.

PASSED this *28th* day of *May* A.D. 1996.

City Clerk

Mayor

Bill No. D-18

The Corporation of the City of Hamilton

BY-LAW NO. 96- 048

To Amend Adult Video Store By-law No. 95-173

Respecting:

LICENCE FEES

WHEREAS stores in which adult videos are provided are licensed, regulated and governed under the City of Hamilton By-law No. 95-173 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed that the By-law be further amended to provide for a fifty-dollar added fee to cover costs on first time applications, being non-refundable in the event of non-issuance of the licence;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 6(2) of By-law No. 95-173 as amended, is amended by repealing and replacing paragraph 6(2)(a) with the following :

> "(a) full payment of the licence fee, in the case of a Class A adult video store being $2,000.00 for a renewal and $2,050.00 for other than a renewal, and in the case of a Class B adult video store being $150.00 for a renewal and $200.00 for other than a renewal, for each such licence applied for;"

2. Section 6 of Licensing By-law 95-173 as amended, is further amended by adding the following as subsection (3), immediately after subsection 6(2) :

> "(3) In the case of an application for a licence other than a renewal, fifty-dollars of the licence fee is non-refundable in the event the licence is not issued, and for the sake of clarity in this section, "renewal" means renewal by the current licensee of the previous year's licence."

3. In all other respects By-law No. 95-173 as amended is hereby confirmed without change.

PASSED this 26th day of March A.D. 1996.

City Clerk

Mayor

Bill No. D-17

The Corporation of the City of Hamilton

BY-LAW NO. 96-047

To Amend:

Schedule 4 of Licensing By-law No. 93-069

Respecting:

INTERIOR ADVERTISING IN TAXI-CABS

WHEREAS taxi-cabs are licensed, regulated and governed by Schedule 4 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 11 of the 4th Report of the Finance and Administration Committee, at its meeting held on the 27th day of February, 1996, directed that Schedule 4 of By-law No. 93-069 be further amended to allow rear window advertising;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 19 of section 12 of Schedule 4 to Licensing By-law No. 93-069, as amended in By-law 93-043, is further amended by adding the following as sub-paragraph (1b), immediately after sub-paragraph (1a) :

"(1b) In addition to the advertising permitted in sub-paragraphs (1) and (1a), advertising is permitted on the rear window of the taxi-cab, provided it is transparent from the interior of the taxi-cab so the driver is able to observe traffic and objects through the rear window of the vehicle; and "

2. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED this 26th day of March A.D. 1996.

City Clerk

Mayor

Bill No. D-16

The Corporation of the City of Hamilton

BY-LAW NO. 96-046

To Amend:

Licensing By-law No. 93-069

Respecting:

PUBLIC HALLS

WHEREAS public halls are licensed, regulated and governed by Schedule 15 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 6 of the 5th Report of the Finance and Administration Committee, at its meeting held on the 12th day of March, 1996, directed that Schedule 15 of By-law No. 93-069 be further amended to replace the definition of "public hall" and delete the requirement for the licence to state the hall capacity;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 15 to Licensing By-law No. 93-069, is amended by repealing subsection 1(h), repealing section 3, and replacing subsection 1(h) with the following:

> "(h) "public hall" means premises or a part thereof, including a portable building or tent, used as a place of assembly which is operated as a business, where members of the public gather for the purpose of any meeting, dancing or entertainment, but does not include premises used solely for religious purposes or a theatre within the meaning of the Theatres Act, R.S.O. 1990, c. T-6, as amended."

2. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED this 26th day of March A.D. 1996.

City Clerk

Mayor

Bill No. D-15

The Corporation of the City of Hamilton

BY-LAW NO. 96- 045

To Amend Body Rub Parlour By-law No. 76-32 Respecting:

LICENCE FEES

WHEREAS body rub parlours are licensed, regulated and governed under the City of Hamilton By-law No. 76-32 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed that the By-law be further amended to provide for a fifty-dollar added fee to cover costs on first time applications, being non-refundable in the event of non-issuance of the licence;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Licensing By-law 76-32 as amended, is further amended by repealing and replacing Section 27 with the following :

"27. (1) The respective sums of money set out in Column 2 of Schedule 1 opposite the types of licences described in Column 1 of the Schedule, which Schedule is attached to and forms a part of this by-law, are respectively fixed as the annual fee for each such licence, payable and due at the time of application.

(2) For greater certainty, the fees fixed in (1) shall be for the calendar year or part thereof remaining.

(3) In the case of an application for a licence other than a renewal, fifty-dollars of the licence fee is non-refundable in the event the licence is not issued, and for the sake of clarity, "renewal" means renewal by the current licensee of the previous year's licence."

2. By-law 76-32 as amended, is further amended by repealing and replacing Schedule 1 with Schedule "A", which is attached to and forms a part of this by-law.

3. In all other respects By-law No. 76-32 as amended is hereby confirmed without change.

PASSED this 26th day of March A.D. 1996.

City Clerk

Mayor

(Schedule "A" to By-law 96-045)

SCHEDULE 1 TO BY-LAW 76-32
RELATING TO ANNUAL FEES for
LICENCES and EXPIRY DATES

	COLUMN 1	COLUMN 2	COLUMN 3
	Description of Licence	Fee	Expiry Date
1.	Body-rub licences:		
(a)	Owner who does not operate his or her own body-rub parlour:		
	i. for renewal	$6,670.00	December 31
	ii. for other than a renewal	$6,720.00	December 31
(b)	Owner who operates his or her own body-rub parlour:		
	i. for renewal	$6,670.00	December 31
	ii. for other than a renewal	$6,720.00	December 31
(c)	Operator:		
	i. for renewal	$ 270.00	December 31
	ii. for other than a renewal	$ 320.00	December 31
(d)	Person other than a licensed owner or operator performing, offering, soliciting or making available body-rubs in, at or upon a body-rub parlour		
	i. for renewal	$ 270.00	December 31
	ii. for other than renewal	$ 320.00	December 31

Bill No. D-12

The Corporation of the City of Hamilton

BY-LAW NO. 96-037

To Amend Licensing By-law No. 93-069 Respecting:

LICENCE FEES

WHEREAS various trades, businesses and occupations are licensed, regulated and governed under the City of Hamilton Licensing Code 1993, being By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, directed that the By-law be further amended to provide for a new range of licence fees for establishment and mobile licences, and a fifty-dollar added fee to cover costs on first time applications, being non-refundable in the event of non-issuance of the licence;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 3 of Licensing By-law 93-069, is amended by adding a subsection "(1a)" immediately after subsection (1), as follows:

> "(1a) In the case of an application for a licence other than a renewal, the lessor of the licence fee or fifty-dollars of the licence fee is non-refundable in the event the licence is not issued, and for the sake of clarity in this subsection, "renewal" means renewal by the current licensee of the previous year's licence."

2. Section 2 of Schedule 32 to Licensing By-law No. 93-069 as amended, is further amended by repealing subsection (2) and replacing it with the following subsections, as subsections "(2)" and "(2a)":

> "(2) Subject to (2a), every person required to obtain a licence under this Schedule shall be required to obtain a separate licence and comply with the requirements applicable to each class or licence category, for each class of public garage carried on from the garage.
>
> (2a) In the event a garage requires more than one class of licence under this Schedule, the licensee or applicant shall, as the licence fee, pay only the amount applicable for one licence."

3. Schedule 45 to Licensing By-law No. 93-069 as amended, is repealed and replaced with Schedule "A", which is attached to and forms a part of this by-law.

4. In all other respects By-law No. 93-069 as amended is hereby confirmed without change.

PASSED this *12th* day of *March* A.D. 1996.

Acting City Clerk

Acting Mayor

SCHEDULE 45

FEES

1. Repealed (am. 93-152)

2. Repealed (am. 93-152)

3. Schedule 3 (Retail Butchers and Fishmongers) : The licence fees for licences under Schedule 3 are $135.00 for a renewal, and $185.00 for other than a renewal. (S.3, s.6)

4. Schedule 4 (Taxicabs) : The fees for licences and other matters under Schedule 4 are as follows:

(a) Initial application for entry on the priority list, $60.00;

(b) Annual renewal of placement on the priority list, $60.00 if prior to September 30, and late renewal of placement on the priority list, $100.00; (am. 93-218)

(c) First issuance of a private taxi-cab licence from the Taxi-cab Priority List, $3,480.00;

(d) Renewal of a private taxi-cab licence, $210.00;

(e) Transfer of a private taxi-cab licence, $670.00;

(f) Renewal of a public taxi-cab licence, $340.00;

(g) Transfer of a public taxi-cab licence, $670.00;

(h) First issuance of a taxi-cab broker's licence, $400.00;

(i) Renewal of a taxi-cab broker's licence, $270.00;

(j) Issuance of a taxi-cab driver's licence, $50.00;

(k) Filing fee for the initial copy of a limited interest agreement in respect of the first car, $60.00;

(l) Yearly renewal fee for the initial limited interest agreement in respect of the same first car, $60.00;

(m) Filing fee for the initial copy of a limited interest agreement in respect of any additional car, $210.00;

(n) Yearly renewal fee for a limited interest agreement in respect of any additional car, $210.00;

(o) Filing fee for a copy of a notice or an agreement under section 14(5) of Schedule 4, $30.00. (S.4, s.33)

(p) Wheelchair Accessible Taxicab (Integrated) - Owner Licence and Renewal, $5.00.

4a. Schedule 4a (Livery Vehicles) : The licence fees for licences under Schedule 4a are as follows:

(a) Livery vehicle owner's licence Class A or B, $210.00;

(b) Livery vehicle driver's licence, $50.00; (S.4a, s.16)

5. Schedule 5 (Cartage Businesses) : The licence fees for licences under Schedule 5 are as follows:

(1) For owners of carts and other animal drawn vehicles used for hire for the conveyance of goods or other material, or for the conveyance of passengers, for each vehicle, renewal $185.00, and $235.00 for other than a renewal.

(2) For owners and operators of Class "C" licensed cartage vehicles, for each vehicle, renewal $185.00, and $235.00 for other than a renewal.

(3) For owners and operators of Classes "A", "B", "D", "E", "F" and "G" licensed cartage vehicles, for each vehicle, renewal $185.00 and $235.00 for other than a renewal. (S.5, s.10)

6. Repealed (am. 93-152)

7. Repealed (am. 93-152)

8. Schedule 8 (Eating Establishments) : The licence fees for licences under Schedule 8 are as follows, $135.00 for a renewal, and $185.00 for other than a renewal. (S.8,s.4, am. 95-171)

9. Schedule 9 (Food Shops) : The licence fees for a licence under Schedule 9 are $135.00 for a renewal, and $185.00 for other than a renewal. (S.9, s.3)

10. Schedule 10 (Tow-Trucks) : The licence fees for licences under Schedule 10 are as follows:

(a) For a tow-truck owner's licence, per vehicle, for renewal, $185.00 and for other than a renewal $235.00;

(b) For a tow-truck driver's licence, for renewal, $185.00, and for other than a renewal, $235.00. (S.10, s.9)

13. Schedule 13 (Pedlars) : The licence fees for licences under Schedule 13 are as follows:

(1) For a pedlar,

(a) (Repealed, By-law 84-244);

(b) who travels with a push cart, renewal, $185.00, and $235.00 for other than a renewal;

(c) who travels with a motor truck, panel truck or station wagon, renewal, $185.00, and $235.00 for other than a renewal;

(d) who travels on foot with a basket, valise, bag or pack, for renewal, $185.00, and $235.00 for other than a renewal. (S.13, s.5)

15. Schedule 15 (Public Halls and Places of Amusement) : The licence fees for licences under Schedule 15 are as follows:

(1) Billiard Room or Pool Room, a renewal, $135.00, and $185.00 for other than a renewal;

(2) Exhibitions for which admission is charged, in other than a licensed theatre or a licensed public hall,

(a) of pictures, paintings, statuary, waxworks or other works of art, or curiosities or other objects of interest, per day, $14.00;

(b) of performing horses, ponies or dogs, per day, $37.00;

(c) of a menagerie or trained animal show, circus riding, wild-west show or other like show usually exhibited by showmen, or a carnival, but not including a circus held in a permanent indoor structure per day, $100.00; and for each side show or other entertainment connected with or associated with each show mentioned in this clause, $37.00;

(cc) of a circus held in a permanent indoor structure, per day, $20.00;

(cd) Provided that the total of the daily fees for exhibitions or circuses do not exceed $500.00.

(d) of a performance of a troupe or company of actors or musicians, or of dramatic or musical performances, for each performance, $14.00;

(e) of boxing, wrestling or other like performance, for each performance, $19.00;

(3) Theatre or moving picture show, a renewal, $135.00, and $185 for other than a renewal;

(4) Arena, $270.00;

(5) Bowling Alley, a renewal, $135.00, and $185.00 for other than a renewal;

(6) Pinball or other Amusement Machine Parlours in which are located 4 or more machines, a renewal, $135.00, and $185.00 for other than a renewal;

(7) Bingo Parlour, a renewal, $135.00, and $185.00 for other than a renewal;

(8) Repealed (am. 93-240)

(9) Public Hall, other than a Bingo Parlour, a renewal $135.00, and $185.00 for other than a renewal;

(10) Roller Skating Rinks or like places of amusement, a renewal, $135.00, and $185.00 for other than a renewal.

(11) Merry-Go-Round, Switchback Railway, Carousel or other like contrivances including Roller Coaster, for each day, $50.00.

(12) Rebound Tumbling Establishment;

(a) for 20 beds or less, $19.00;

(b) for more than 20 beds, $37.00.

(13) Shooting Gallery, $19.00. (S.15, s.6)

16. Schedule 16 (Refreshment Vehicles) : The licence fees for a licence under Schedule 16 are, for renewal, $185.00, and $235.00 for other than a renewal. (S.16, s.10)

17. Schedule 17 (Salvage and Second-Hand Goods Businesses) : The licence fees for licences under Schedule 17 are as follows, for a renewal, $135.00, and $185.00 for other than a renewal. (S.17, s.8)

19. Schedule 19 (Sign Posters and Bill Distributors, etc.) : The licence fees for licences under Schedule 19 are as follows, for a renewal, $185.00, and $235.00 for other than a renewal. (S.19, s.3)

20. Schedule 20 (Tobacco, Cigars and Cigarette Retailers) : The licence fees for licences under Schedule 20 are, for a renewal, $135.00, and $185.00 for other than a renewal. (S.20, s.6)

21. Repealed (am. 93-152)

22. Schedule 22 (Transient Vendors) : The licence fees for licences under Schedule 22 are as follows:

(1) Transient Vendor to which subsection (2) does not apply, for a three-month period or part thereof, $500.00

(2) Transient Vendor who is a farmer resident in Ontario offering for sale only the produce of his or her own farm, $5.00. (S.22, s.8(1))

23. Repealed (am. 93-152)

24. Schedule 24 (Bake Shops) : The licence fees for licences under Schedule 24 are, for a renewal, $135.00, and $185.00 for other than a renewal. (S.24, s.3)

25. Repealed (am. 93-152)

26. Repealed (am. 93-152)

27. Repealed (am. 93-152)

28. Schedule 28 (Lodging Houses) : The licence fees for licences under Schedule 28 are, for a renewal, $135.00 and $185.00 for other than a renewal, except for second level lodging house licences, the fees for which are provided under by-law 80-259 as amended. (S.28, s.5)

29. Repealed (am. 93-152)

30. Schedule 30 (Pawnbrokers) : The licence fees for licences under Schedule 30 are, for a renewal $135.00, and $185.00 for other than a renewal. (S.30, s.3)

31. Schedule 31 (Public Baths) : The licence fee for a licence under Schedule 31 are, for renewal, $270.00, and $320.00 for other than a renewal. (S.31, s.2)

32. Schedule 32 (Public Garages) : The licence fees for licences under Schedule 32 are as follows:

(1) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place where motor vehicles are stored or kept for sale (Garage A), for a renewal, $135.00, and $185.00 for other than a renewal.

(2) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop, including body and fender repairs (Garage B1), for a renewal, $135.00, and $185.00 for other than a renewal.

(3) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop, except body and fender repairs (Garage B2), for a renewal, $135.00, and $185.00 for other than a renewal.

(4) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop for body and fender repairs (Garage B3), for a renewal, $135.00, and $185.00 for other than a renewal.

(5) For a public garage that is only an automobile service station within the meaning of the provisions of paragraph 154 of section 154 of the Municipal Act, R.S.O. 1990, Chapter M.45, except a retail store not otherwise an automobile station where gasoline or oils are sold in sealed containers only (Garage C), for a renewal, $135.00, and $185.00 for other than a renewal.

(6) For a public garage, other than an automobile service station as described in subsection (5), that is a parking station or a parking lot (Garage D), for a renewal, $135.00, and $185.00 for other than a renewal.

Provided that an automobile service station with no more than five parking spaces for hire shall not be deemed to be a parking station or parking lot within the meaning of this section.

(7) For a public garage that is a building or place used for only washing or cleaning motor vehicles or in addition to being an automobile service station as described in subsection (5) (Garage E), for a renewal, $135.00, and $185.00 for other than a renewal.

Provided that a licensed public garage not having special equipment capable of washing or cleaning more than 15 motor vehicles a day shall not be deemed to be a building or place used for washing or cleaning motor vehicles within the meaning of this section. (S.32, s.10)

40. Repealed (am. 93-152)

41. Schedule 41 (Precious Metals and Old Jewellery Dealers) : The licence fees for licences under Schedule 41 are, for a renewal, $135.00, and $185.00 for other than a renewal. (S.41, s.4)

42. Schedule 42 (Building Exterior Cleaners) : The licence fees for licences under Schedule 42 are, for a renewal, $185.00, and $235.00 for other than a renewal. (S.42, s.5)

43. Schedule 43 (Flea Markets) : The licence fees for licences under Schedule 43 are as follows:

(1) For a Flea Market Owner, a renewal, $135.00, and $185.00 for other than a renewal. (S.43, s. 10)

(2) Repealed (am. 93-152)

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